



RESPONSE UNDER 37 C.F.R. §1.116  
EXPEDITED PROCEDURE  
EXAMINING ART GROUP 1809

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Dean L. Engelhardt et al.  
Serial No.: 08/479,997 Group Art Unit: 1809  
Filed: June 7, 1995 Ex'r: Scott Houtteman  
Title: A PHOSPHATE MOIETY LABELED NUCLEOTIDE, AND AN  
OLIGO- OR POLYNUCLEOTIDE, AND OTHER COMPOSITIONS  
COMPRISING SUCH PHOSPHATE MOIETY LABELED  
NUCLEOTIDES

**FILED BY EXPRESS MAIL**

Honorable Commissioner of  
Patents and Trademark  
Washington, D.C. 20231

RECEIVED  
DEC 5 1997  
GROUP 1800

Sir:

Transmitted herewith is an Amendment Under 37 C.F.R. §1.116 in the  
above-identified patent application.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total	176	Minus	72	= 104	x 22	\$ 2288
Indep	6	Minus	3	= 3	x 82	\$ 246
( X ) First Presentation of Multiple Dependent Claims						+270 \$ 270
TOTAL ADDITIONAL FEE						\$ 2804

- ( X ) Charge Deposit Account No. 05-1135 in the amount of \$2,804.00.  
( ) A check in the amount of \$\_\_\_\_\_ is attached.  
( X ) The Commissioner is hereby authorized to charge payment of the  
following fees associated with this communication or credit any  
overpayment to Deposit Account No. 05-1135: any filing fees  
under 37 C.F.R. §1.16 for the presentation of extra claims and any  
patent application processing fees under 37 C.F.R. §1.17.

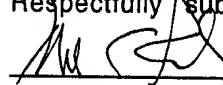
Copies are being provided in triplicate.

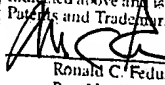
NOVEMBER 24, 1997  
Date

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Attorney's Docket No.: Enz-5(D6)(C2)

Respectfully submitted,

  
Ronald C. Fedus  
Registration No. 32,567  
Attorney for Applicant(s)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	EM366566681
Deposit Date	NOVEMBER 24, 1997
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
 Ronald C. Fedus Reg. No. 32,567	NOV 24 1997 Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dean L. Engelhardt et al.)

Serial No. 08/479,997 )

Group Art Unit: 1809

Filed: June 7, 1995 )

Examiner: Scott Houtteman

Title: A PHOSPHATE MOIETY LABELED  
NUCLEOTIDE, AND AN OLIGO- OR POLYNU-  
CLEOTIDE, AND OTHER COMPOSITIONS  
COMPRISING SUCH PHOSPHATE MOIETY  
LABELED NUCLEOTIDES

527 Madison Avenue, 9th Floor  
New York, New York 10022  
November 24, 1997

**FILED BY EXPRESS MAIL**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

**AMENDMENT UNDER 37 C.F.R. §1.116**  
**IN RESPONSE TO JUNE 25, 1997 OFFICE ACTION**

Dear Sirs:

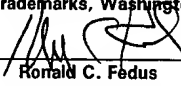
This Amendment is being submitted in response to the June 25, 1997 Office Action issued in connection with the above-identified application. This Amendment is also accompanied by a Request Under 37 C.F.R. §1.129(a) to withdraw the finality of the June 25, 1997 Office Action. The Office Action was originally dated May 13, 1997, but a subsequent communication mailed on June 25, 1997 indicated that the period for response from the May 13, 1997 Office Action was restarted, and that the period for response was extended to run three (3) months from the date of the June 25, 1997 Communication. A response to the June 25, 1997 Office Action was originally due September 25, 1997. This Amendment is being accompanied by a Request For An Extension of Time (two months) in order to extend the deadline to November 25, 1997. Accordingly, this Amendment is being timely filed.

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label No. **EM36656681**

Deposit Date **November 24, 1997**

I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.

  
Ronald C. Fedus  
Reg. No. 32,567

**NOV 24 97**  
Date